

FEB. 4. 2003 4:55PM

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NO. 540 P. 1



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FACSIMILE COVER SHEET

DATE: February 4, 2003

TO: **NAME:** Maerena W. Brevard
COMPANY: USPTO (Examiner) - Group Art Unit: 3727
FAX NUMBER: (703) 746-4224 **PHONE NUMBER:** _____
CITY: Washington, VA

FROM: **NAME:** Derek J. Jardieu
DIRECT DIAL NUMBER: (202) 383-6722 **USER ID:** 1814
NUMBER OF PAGES, INCLUDING COVER: 10 **CHARGE NUMBER:** 00840.0005.NPUS00

☒ **ORIGINAL WILL FOLLOW VIA:**
☐ **REGULAR MAIL** ☐ **OVERNIGHT DELIVERY** ☐ **HAND DELIVERY** ☒ **OTHER:** _____

☐ **ORIGINAL WILL NOT FOLLOW**

SUPPLEMENTAL MESSAGE:

Further to our telephone conversation Monday, February 3rd, attached is a copy of the Preliminary Amendment filed today in U.S. Application No. 09/739,136 (our docket no. 00840.0005.NPUS00). If you have any questions, please call me at (202) 383-6722. Thank you.

Derek J. Jardieu

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Received from < > at 2/4/03 4:59:37 PM [Eastern Standard Time]



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PHONE 202.783.0800
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A LIMITED LIABILITY PARTNERSHIP

February 4, 2003

Commissioner for Patents
Washington, D.C. 20231

Box: NON-FEE AMENDMENT

Re: *U.S. Patent Application Serial No. 09/739,136*
Filed: December 18, 2000 *Confirmation No.: 3727*
RCE Filed: January 23, 2003
For: Apparatus and Method for Using a Wearable
Computer in Testing and Diagnostic Applications
Inventors: W. Vincent Quintana, et al.
Attorney Docket No. 00840.0005.NPUS00 (formerly 10001-29667)

Sir:

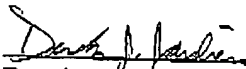
The following documents are forwarded for appropriate action by the U.S. Patent and Trademark Office:

1. *Preliminary Amendment*
2. *Form PTO-1083 (fee transmittal)*
2. *Return Receipt Postcard*

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038. *A duplicate copy of this letter is enclosed.*

Respectfully submitted,


Derek J. Jardieu (Reg. No. 44,483)

Enclosures

Box No. 34

1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

FORM PTO-1083

In re application of: W. Vincent QUINTANA, et al.

Attorney Docket No. 00840.0005.NPUS00

Appl. No: 09/739,136

Filed: December 18, 2000

RCE Filed: January 23, 2003

For: APPARATUS AND METHOD FOR USING A WEARABLE COMPUTER IN TESTING
AND DIAGNOSTIC APPLICATIONS

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is a Preliminary Amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR §§ 1.9 and 1.27 has been established by a statement previously submitted.
- ☐ No additional claim fee is required.

The claim fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total Claims	15	MINUS	67	= 0
Indep. Claims	2	MINUS	3	= 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY		Or	OTHER THAN A SMALL ENTITY	
Rate	Addit. Fee		Rate	Addit. Fee
x 9 =	\$ 00.00		x 18 =	\$ 00.00
x 42 =	\$ 00.00		x 84 =	\$ 00.00
+140 =	\$ 00.00		+ 280 =	\$ 00.00
Total Addit. Fee	\$	Or	TOTAL	\$ 00.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 08-3038 in the amount of \$_____ referencing docket number _____. A duplicate copy of this sheet is attached.
- ☐ A Check in the amount of \$_____ is attached to cover excess claims fee.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038 referencing docket number 00840.0005.NPUS00. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR § 1.17.

Date: February 4, 2003

Derek J. Jardieu
Derek J. Jardieu (Reg. No. 44,483)

#13/B
2/6/03
R/19d

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

W. Vincent QUINTANA, et al.

Appl. No. 09/739,136

Filed: December 18, 2000

RCE Filed: January 23, 2003

For: **Apparatus and Method for Using
a Wearable Computer In Testing
and Diagnostic Applications**

Art Unit: 3727

Examiner: Brevard, Maerena W.

Atty. Docket: 00840.0005.NPUS00
(formerly 10001-29667)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit the following Preliminary Amendment. It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 08-3038, referencing the above docket number.